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MONTANA LEGISLATIVE HISTORY

Chapter 133 ~~19~~ 2003

Bill H 215 S _____ Original bill & history ✓ C

H. Committee on Transportation		S. Committee on Highways	
Hearing Date(s) _____	___C	Hearing Date(s) _____	___C
1/13	✓C	3/11	✓C
_____	___C	_____	___C
_____	___C	3/12	✓C
Date Out 1/16	✓C		

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

Montana Legislative Branch

Montana Legislature

Detailed Bill Information

2003 Session

| Top | Actions | Sponsor, etc. | Subjects | Add'l Bill Info | Eff. Dates | New Search |

Bill Draft Number: LC0165 Current Bill Text
Bill Type - Number: HB 215 Fiscal Note
Short Title: Fee for reinstatement of driver's license
Primary Sponsor: John Brueggeman

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 50

Print Friendly

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	03/26/2003			
(H) Signed by Governor	03/26/2003			
(H) Transmitted to Governor	03/20/2003			
(S) Signed by President	03/19/2003			
(H) Signed by Speaker	03/19/2003			
(H) Returned from Enrolling	03/19/2003			
(C) Sent to Printing	03/18/2003			
(H) Sent to Enrolling	03/18/2003			
(S) Returned to House	03/17/2003			
(S) 3rd Reading Concurred	03/17/2003	42	7	
(S) Scheduled for 3rd Reading	03/17/2003			
(S) 2nd Reading Concurred	03/15/2003	34	8	
(S) Scheduled for 2nd Reading	03/15/2003			
(S) Scheduled for 2nd Reading	03/14/2003			
(S) Committee Report--Bill Concurred	03/12/2003			(S) Highways and Transportation
(S) Committee Executive Action--Bill Concurred	03/12/2003	10	2	(S) Highways and Transportation
(S) Hearing	03/11/2003			(S) Highways and Transportation

(S) Rereferred to Committee	02/06/2003			(S) Highways and Transportation
(S) Referred to Committee	02/03/2003			(S) Judiciary
(S) First Reading	02/03/2003			
(H) Transmitted to Senate	01/31/2003			
(H) 3rd Reading Passed	01/31/2003	80	17	
(H) Scheduled for 3rd Reading	01/31/2003			
(C) Sent to Printing	01/29/2003			
(H) 2nd Reading Passed as Amended	01/29/2003	78	21	
(H) 2nd Reading Motion to Amend Failed	01/29/2003	16	79	
(H) 2nd Reading Motion to Amend Carried	01/29/2003	62	34	
(H) Scheduled for 2nd Reading	01/29/2003			
(H) Committee Report--Bill Passed	01/16/2003			(H) Transportation
(H) Committee Executive Action--Bill Passed	01/16/2003	9	4	(H) Transportation
(H) Hearing	01/13/2003			(H) Transportation
(H) Fiscal Note Printed	01/13/2003			
(H) Fiscal Note Received	01/10/2003			
(H) First Reading	01/06/2003			
(H) Referred to Committee	01/03/2003			(H) Transportation
(H) Fiscal Note Requested	01/02/2003			
(C) Introduced Bill Text Available Electronically	12/27/2002			
(H) Introduced	12/27/2002			
(C) Pre-Introduction Letter Sent	12/27/2002			
(C) Pre-Introduction Letter Sent	11/26/2002			
(C) Draft in Assembly/Executive Director Review	11/25/2002			
(C) Draft in Final Drafter Review	11/25/2002			
(C) Bill Draft Text Available Electronically	11/25/2002			
(C) Draft in Input/Proofing	11/25/2002			
(C) Draft to Drafter - Edit Review [CAJ]	11/25/2002			
(C) Draft in Edit	11/25/2002			
(C) Draft in Legal Review	11/22/2002			
(C) Draft Back for Requester Changes	11/22/2002			
(C) Draft to Requester for Review	11/07/2002			
(C) Draft Request Received	06/03/2002			

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Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	Law and Justice Interim Committee		
Drafter	Lane	Valencia	
By Request Of	Department of Justice		
Primary Sponsor	Brueggeman	John	

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Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Motor Vehicles (see also: Taxation--Trans; Traffic Regulations; Transportation)		Simple	MTRV
Corrections		Simple	CORR

| Top | Actions | Sponsor, etc. | Subjects | Add'l Bill Info | Eff. Dates | New Search |

Additional Bill Information

Probable Fiscal Note: Yes
Preintroduction Required: Y
Session Law Ch. Number: 133
DEADLINE
Category: General Bills
Transmittal Date: 02/28/2003
Return (with 2nd house amendments) Date: 04/05/2003

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Section Effective Dates

Section(s)	Effective Date	Date Qualified
All Sections	01-JUL-03	

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10/28/2005 03:43 PM Mountain Time

Look Up Bill Information	Committee and Hearing Information
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2003 Montana Legislature

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HOUSE BILL NO. 215
INTRODUCED BY BRUEGGEMAN
BY REQUEST OF THE DEPARTMENT OF JUSTICE

AN ACT STANDARDIZING THE FEE FOR REINSTATEMENT OF A DRIVER'S LICENSE OR DRIVING PRIVILEGE AFTER SUSPENSION OR REVOCATION BY INCREASING THE FEE FOR REINSTATEMENT AFTER CERTAIN SUSPENSIONS OR REVOCATIONS FROM $25 TO $100; EXEMPTING THE HOLDER OF A COMMERCIAL DRIVER'S LICENSE FROM THE STANDARDIZED REINSTATEMENT FEE; AMENDING SECTIONS 61-5-215 AND 61-5-216, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. License reinstatement fee following license suspension or revocation. (1) Except as provided in subsection (2), a person whose driver's license, other than a commercial driver's license, or driving privilege has been suspended or revoked shall pay a reinstatement fee of $100 to the department to have the driver's license or driving privilege reinstated.

(2) A person whose driver's license or driving privilege was suspended or revoked under 61-5-205 or 61-8-402 shall pay a reinstatement fee as required by 61-2-107. A driver's license or driving privilege that was suspended or revoked under 61-5-207 must be reinstated without payment of a reinstatement fee.

(3) The department shall deposit the fees collected under subsection (1) in the general fund.

Section 2. Section 61-5-215, MCA, is amended to read:

"61-5-215. Provisional licenses prohibited ~~—reinstatement fee.~~ ~~(1) No~~ A provisional, restricted, or probationary license may not be issued upon a suspension under 61-5-214.

~~(2) A person whose license is suspended under 61-5-214 shall pay a reinstatement fee of $25 to the court for deposit in the state general fund.~~"

Section 3. Section 61-5-216, MCA, is amended to read:

"61-5-216. Reinstatement of license. Upon receipt of notification from the court that the operator has appeared, posted the bond, or paid the fine, costs, or restitution amounts and if the reinstatement fee required under 61-2-107 or [section 1] has been paid, the department shall ~~immediately~~ reinstate the license, unless the operator otherwise is not entitled to reinstatement."

Section 4. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 61, chapter 5, part 2, and the provisions of Title 61, chapter 5, part 2, apply to [section 1].

Section 5. Effective date. [This act] is effective July 1, 2003.

Section 6. Applicability. [This act] applies to the reinstatement of a driver's license or driving privilege that is suspended or revoked on or after July 1, 2003.

- END -

Latest Version of HB 215 *(HB0215.ENR)*

Processed for the Web on March 18, 2003 (2:11pm)

New language in a bill appears underlined, deleted material appears stricken.

Sponsor names are handwritten on introduced bills, hence do not appear on the bill until it is reprinted.

See the status of this bill for the bill's primary sponsor.

Status of this Bill | 2003 Legislature | Leg. Branch Home

This bill in WP 5.1 | All versions of all bills in WP 5.1

Authorized print version w/line numbers (PDF format)

Prepared by Montana Legislative Services

(406) 444-3064

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 13, 2003 at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Joe Balyeat (R)
Rep. Bob Bergren (D)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: Rep. Ronald Devlin (R)

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 215, 1/7/2003; HB 80, 1/7/2003; HB 237, 1/7/2003
Executive Action: HB 22; HB 67; HB 68

HEARING ON HB 215

Sponsor: REP. BRUEGGEMAN, HD 74

Opening Statement by Sponsor:
REP. BRUEGGEMAN, HD 74, introduced HB 215. This bill will standardize the law as it applies to suspended driver licenses.
{Tape: 1; Side: A; Approx. Time Counter: 20.5 - 22.2}

Proponents' Testimony:

Brenda Nordlund, Montana Department of Justice. What the Department is asking is that all persons facing a drivers license revocation are all treated the same when the time comes to have their drivers license reinstated.
EXHIBIT**(trh06a01)**
{Tape: 1; Side: A; Approx. Time Counter: 22.2 - 25.1}

REP. SMITH left the committee hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. BOOKOUT-REINICKE, OLSON and BALYEAT questioned **Ms. Nordland** and **REP. BRUEGGEMAN** regarding what types of revocations this $100 users fee would apply to.
{Tape: 1; Side: A; Approx. Time Counter: 25.1 - 30}
{Tape: 1; Side: B; Approx. Time Counter: 0 - 2.1}

Closing by Sponsor: REP. BRUEGGEMAN closed HB 215.
{Tape: 1; Side: B; Approx. Time Counter: 2.1 - 2.7}

HEARING ON HB 237

Sponsor: REP. BRUEGGEMAN, HD 74

Opening Statement by Sponsor:

REP. BRUEGGEMAN, HD 74, introduced HB 237. This bill provides that any truck equipped with a Jake brake must have a muffler. The Jake brake is a safety measure and proves to be more reliable than power brakes. However, the Jake brake is very noisy when applied and has caused some cities to post signs to deter the use of a Jake brake.
{Tape: 1; Side: B; Approx. Time Counter: 2.7 - 4.8}

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 15, 2003 at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Bob Bergren (D)
Rep. Ronald Devlin (R)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: Rep. Joe Balyeat (R)

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 112, HB 105, HB 189, 1/8/2003
Executive Action: HB 80, HB 215, HB 22

EXECUTIVE ACTION ON HB 80

Motion/Vote:

REP. STEINBEISSER moved that HB 80 DO PASS. Motion carried 12-1 with REP. GALLIK voting no. Roll call vote. REP. SMITH's vote was changed by his permission and does not reflect the same information as the proxy form.

(Tape: 2; Side: A; Approx. Time Counter: 17.6 - 27)

EXECUTIVE ACTION ON HB 215

Motion/Vote: REP. BERGREN moved that HB 215 DO PASS. Motion carried 9-4 with REPS. GOLIE, BALYEAT, WILSON and KEANE voting no. Roll call vote. REPS. SMITH and BALYEAT voted by proxy.

(Tape: 2; Side: A; Approx. Time Counter: 27 -29.)

EXECUTIVE ACTION ON HB 22

Motion/Vote: REP. BERGREN moved that HB 22 DO PASS. Motion carried 12-0 with REP. BALYEAT not voting.

(Tape: 2; Side: A; Approx. Time Counter: 30 - 31)

MINUTES

MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN EDWARD BUTCHER**, on March 11, 2003 at 3:03 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Edward Butcher, Chairman (R)
Sen. Duane Grimes, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Vicki Cocchiarella (D)
Sen. Mike Cooney (D)
Sen. Aubyn Curtiss (R)
Sen. Bob DePratu (R)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Glenn Roush (D)

Members Excused: None.

Members Absent: None.

Staff Present: Pat Murdo, Legislative Branch
Roberta Opel, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted:	HB 237, 3/11/2003, HB 71, 3/11/2003, HB 215, 3/11/2003, HB 556, 3/11/2003,
Executive Action:	HB 250, HB 105, HB 67, HB 71, HB 556, HB 215

NOTE: Pat Murdo, Research Analyst, submitted MCA information regarding HB 71. EXHIBIT(his51a05)

Opening Statement by Sponsor: REP. KARL WAITSCHIES, HD 96, Glasgow-Scobey area, presented HB 71 to the committee; to remove the sunset on MDT diesel vehicle inspection authority.

Proponents' Testimony:

3:50pm Jim Currie, MT. Dept. of Transportation EXHIBIT(his51a06)
3:53pm Bob Gilbert, MT. Petroleum Marketers and C-Stores
3:54pm Spook Stang, MT. Motor Carriers Association

Opponents' Testimony: None

Questions from Committee Members and Responses:

3:55pm Begin
3:56pm End
1 min Elapsed time

Closing by Sponsor:

3:55pm REP. WAITSCHIES closed the hearing on HB 71.

EXECUTIVE ACTION ON HB 71

Motion/Vote: SEN. DAN HARRINGTON moved HB 71 BE CONCURRED IN. Motion carried unanimously.

HEARING ON HB 215

Opening Statement by Sponsor: REP. JOHN BRUEGGEMAN, HD 74, Polson; fee for reinstatement of driver's license.

Proponents' Testimony:

4:11pm Brenda Nordlund, MT. Dept. of Justice EXHIBIT(his51a07)

Opponents' Testimony: None

Questions from Committee Members and Responses:

3:17pm Begin
3:27pm End
10 min Elapsed time

Closing by Sponsor:

3:27pm **SEN. BRUEGGEMAN** closed on the hearing.

EXECUTIVE ACTION ON HB 215

Motion: Motion by **SEN. COONEY HB 215 BE CONCURRED IN.**

Discussion:

4:47pm Begin
4:38pm End
11 min Elapsed time

Motion: **SEN. COONEY** moved a conceptual amendment.

Vote: Motion **to adopt a conceptual amendment carried unanimously.**

Motion: **SEN. O'NEIL** moved **to amend the bill with a conceptual amendment.**

Discussion:

4:50pm Begin
5:01pm End
11 min Elapsed time

Substitute Motion: Substitute Motion by **SEN. O'NEIL to withdraw his previous conceptual amendment and propose a different conceptual amendment.**

Vote: Motion **failed 10-2 with SENATORS BUTCHER, ANDERSON, COCCHIARELLA, COONEY, DEPRATU, HARRINGTON, KITZENBERG, PEASE ROUSH and GRIMES voting no.**

HEARING ON HB 556

Opening Statement by Sponsor: REP. **DAVE GALLIK, HD 52, Helena,** presented HB 556; to require a separate registration period for motor homes with amateur radio license plates.

Proponents' Testimony:

3:40pm Dean Roberts, Administrator, Motor Vehicle Division
3:40pm Irvin Davis, representing himself **EXHIBIT(his51a08)**

Opponents' Testimony: None

Questions from Committee Members and Responses: